

SENATE BILL 1236

By Haile

AN ACT to amend Tennessee Code Annotated, Title 56,  
Chapter 7, relative to home infusion therapy  
services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 23, is amended by adding the following language as a new, appropriately designated section:

(a) No entity shall:

(1) Deny any home infusion therapy services provider the right to participate as a participating provider in any policy, contract or plan on the same terms and conditions as are offered to any other provider of home infusion therapy services under the policy, contract or plan; provided, nothing in this subdivision (a)(1) shall prohibit an entity from establishing rates or fees that may be higher in non-urban areas, or in specific instances where an entity determines it necessary to contract with a particular provider in order to meet network adequacy standards or patient care needs; or

(2) Prevent any person which is a party to or beneficiary of any policy, contract or plan from selecting a home infusion therapy services provider of the person's choice to furnish the services offered under any contract, policy or plan; provided, the home infusion therapy services provider is a participating provider under the same terms and conditions of the contract, policy or plan as those offered by any other provider of home infusions provider services.

(b) Each entity shall apply the same coinsurance, co-payment, deductible and quantity limit factors within the same employee group and other plan-sponsored groups

to all home infusion therapy services provided by any home infusion therapy services provider; provided, all providers comply with the same terms and conditions.

(c) Nothing in this section shall be construed to prohibit the entity from offering multiple options or choice of health insurance benefit plans including, but not limited to, cafeteria benefit plans.

(d) As used in this section:

(1) "Entity" means health insurance issuers, managed health insurance issuers, health maintenance organizations, insurance companies, hospital service corporations, hospitals or medical service corporations, healthcare centers, health maintenance organizations, the state and its political subdivisions or any other legal entity or person; and

(2) "Managed health insurance issuer" has the same meaning as defined in § 56-32-128(a).

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.